

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

<p>TYLER ERDMAN,</p> <p style="text-align: right;"><i>Plaintiff,</i></p> <p style="text-align: center;"><i>-against-</i></p> <p>ADAM VICTOR and THE BOARD OF MANAGERS OF MANHATTAN PLACE CONDOMINIUM,</p> <p style="text-align: right;"><i>Defendants</i></p> <p>.</p>	<p style="text-align: center;">Case No.: 1:20-cv-04162-LGS</p> <p style="text-align: center;">NOTICE OF MOTION TO DISMISS THE AMENDED COMPLAINT</p> <p style="text-align: center;">ORAL ARGUMENT REQUESTED</p>
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PLEASE TAKE NOTICE THAT, upon the attached Memorandum of Law and the accompanying Affirmation of John F. Whelan, and the exhibits attached thereto, Defendants Adam Victor (“Victor”), by his attorneys, Schlam Stone & Dolan LLP, and The Board of Managers of the Manhattan Place Condominium (the “Board”), by its attorneys, Landy Wolf PLLC, will move before the Honorable Lorna G. Schofield at the United States Courthouse, 40 Foley Square, New York, New York 10007, on a date and at a time to be set by this Court, for an order dismissing the operative Amended Complaint pursuant to Federal Rule of Civil Procedure Rule 12(b)(6), or, in the alternative, pursuant to FRCP 12(f) to strike scandalous and impertinent statements which Erdman gratuitously inserted into the Amended Complaint, and granting such other and further relief to Defendants as the Court deems just. Oral argument is requested. Pursuant to the Court’s October 6, 2020, Order, any opposition hereto must be filed on or by December 9, 2020, and any reply hereto must be filed on or by December 19, 2020.

Dated: November 9, 2020
New York, NY

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